

DOCKET NO: 275913US6RE

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
JUN YONEMITSU, ET AL. : EXAMINER: BAKER, S.M.
SERIAL NO: 09/522,786 :
FILED: MARCH 7, 2000 : GROUP ART UNIT: 2112
FOR: OPTICAL DISK HAVING A :
PARTICULAR FORMAT TO STORE
USER-SELECTED DATA, SUCH AS
VIDEO DATA OR COMPUTER FILES,
INCLUDING A DEDICATED TOC
REGION

SECOND DECLARATION OF KOICHI WADA

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes Koichi Wada who deposes and states that:

1. I am the Deputy General Manager, Planning and Control Department of the Intellectual Property Division of Sony Corporation, the assignee of U.S. Patent No. 5,793,779, which is the subject of the present reissue application.

2. In this capacity, I am responsible for various matters including requesting that various inventors from Sony Corporation sign declarations for U.S. patent applications. Our U.S. counsel has requested that the inventors in the above-identified reissue application sign a Supplemental Declaration Form 51S. Although we have obtained the signatures for three of the four named inventors, the fourth inventor, Mr. Ryuichi Iwamura, cannot be located, and therefore we have been unable to obtain his signature.

3. As indicated in my Declaration of September 11, 2009, I directed Ms. Yuriko Nurishi on June 24, 2009 as well as on July 22, 2010 to attempt to contact Mr. Iwamura via email at ryuichi.iwamura@am.sony.com, but received no reply. On July 31, 2009 Ms.

Nurishi also attempted to contact Mr. Iwamura by telephone but was unsuccessful. The last known address of Mr. Iwamura is

11864 Paseo Lucido # 2038, San Diego, CA 92128

Telephone number is 1-858-673-4660.

4. After reviewing the comments made in the July 8, 2010 Petition Decision, we performed an Internet search, using Google, in an attempt to contact Mr. Iwamura or find additional information regarding Mr. Iwamura's whereabouts. However, we could find no information about Mr. Iwamura.

5. Furthermore, based on the suggestion in the Petition Decision, we checked both online Yellow Pages and White Pages on September 1, 2010 in an attempt to find Mr. Iwamura in the San Diego, California area or in other areas. However these searches yield no useful results.

6. Attached hereto is the shipping receipt dated August 25, 2010, in which we sent via FedEx the Reissue application and pending claims to Mr. Iwamura at the following address:

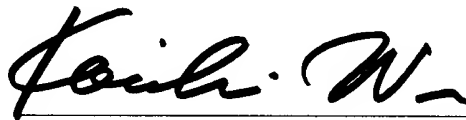
11864 Paseo Lucido # 2038, San Diego, CA 92128.

7. As indicated from the attached FedEx tracking receipt, delivery was attempted on August 26, 2010, the delivery person first noted the address was not Mr. Iwamura's. Another attempt was made on August 27, 2010 but the FedEx delivery person indicated that the address is incorrect and the recipient had moved. The package was then returned on August 31, 2010 from FedEx to Sony Corporation.

8. Despite our staff's diligent efforts, we have not been able to identify the present whereabouts of Mr. Iwamura, and therefore cannot secure his signature. We therefore provide the above last known address and telephone number in case the USPTO would like to attempt to contact Mr. Iwamura.

9. The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

10. Further deponent saith not.



Koichi Wada

October 7, 2010

Date

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/06)

Koichi Wada
Deputy General Manager
Planning & Control Department
Intellectual Property Division

EXHIBIT I

 Print page | Close 


Detailed Results

Tracking no.: 415091416671

Select time format: 12H

In transit

Delivery exception
CARLSBAD, CA

Shipment Dates

Destination

Ship date Aug 25, 2010

SAN DIEGO, CA

Shipment Facts

| | | | |
|--------------|---|-----------|-----------|
| Service type | Priority Envelope - Indirect Signature Required | Reference | SE-D79509 |
| Weight | 0.2 kg/4 lbs | | |

Shipment Travel History

Select time zone: Local Scan Time

All shipment travel activity is displayed in local time for the location

| Date/Time | Activity | Location | Details |
|-----------------------|------------------------------------|------------------|--|
| Aug 31, 2010 3:42 PM | Package returned to shipper | CARLSBAD, CA | Package returned to shipper: 406039347495 |
| Aug 30, 2010 4:09 PM | At local FedEx facility | CARLSBAD, CA | |
| Aug 27, 2010 5:34 PM | At local FedEx facility | CARLSBAD, CA | |
| Aug 27, 2010 10:21 AM | Delivery exception | CARLSBAD, CA | Incorrect address - Recipient moved |
| Aug 27, 2010 8:41 AM | On FedEx vehicle for delivery | CARLSBAD, CA | |
| Aug 26, 2010 5:24 PM | At local FedEx facility | CARLSBAD, CA | |
| Aug 26, 2010 9:21 AM | Delivery exception | CARLSBAD, CA | Customer not available or business closed |
| Aug 26, 2010 9:19 AM | Delivery exception | CARLSBAD, CA | Incorrect address - Apartment/Suite number |
| Aug 26, 2010 8:31 AM | On FedEx vehicle for delivery | CARLSBAD, CA | |
| Aug 26, 2010 8:12 AM | At local FedEx facility | CARLSBAD, CA | |
| Aug 26, 2010 6:47 AM | At dest sort facility | SAN DIEGO, CA | |
| Aug 26, 2010 12:34 AM | Int'l shipment release | OAKLAND, CA | |
| Aug 25, 2010 11:42 PM | Arrived at FedEx location | OAKLAND, CA | |
| Aug 25, 2010 10:26 PM | In transit | NARITA-SHI JP | |
| Aug 25, 2010 10:12 PM | In transit | NARITA-SHI JP | |
| Aug 25, 2010 8:14 PM | Left FedEx origin facility | TOKYO-KOTO-KU JP | |
| Aug 25, 2010 6:18 PM | Picked up | TOKYO-KOTO-KU JP | |
| Aug 25, 2010 3:24 AM | Shipment information sent to FedEx | | |

ORIGIN ID: TYOR 81-3-5764-8255

38072 SONY CORPORATION
1-7-1 KONAN
(SES)
MINATO-KU, TOKYO, 1080075
JAPAN JP

Ship Date: 25AUG10

Actual: 0.2 KG
System: 8070296/FWST0716
Account: S *****

EIN/VAT: SAN D FED

TO MR. RYUICHI IWAMURA

858-673-4660

11864 PASEO LUCIDO #2038,

SAN DIEGO, CA 92128

(US)

AMS

FedEx
Express



WT CLDA

ISR



TRK# 4150 9141 6671 Form 0430

1/1

IP ENVELOPE

REF: SE-079509

DESC1: BUSINESS DOCUMENTS

DESC2:

DESC3:

DESC4:

H

Pa

COUNTRY MFG:

CARRIAGE VALUE: JYE

CUSTOM VALUE: JYE

SIGN: XXX

TIC: S 198236420

D/T: R

46-434

The Warsaw Convention may apply and will govern and in most cases
limit the liability of Federal Express for loss or delay of or
damage to your shipment. Subject to the conditions of the
Contract on the reverse.

CONSIGNEE COPY - PLEASE PLACE IN POUCH